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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/863,525	05/23/2001	Shigeru Sugaya	7217/64563	9869

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COOPER & DUNHAM LLP
1185 Avenue of the Americas
New York, NY 10036

EXAMINER	
RYMAN, DANIEL J	

ART UNIT	PAPER NUMBER
2665	

DATE MAILED: 11/26/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/863,525

Applicant(s)

SUGAYA, SHIGERU

Examiner

Daniel J. Ryman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 May 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 August 2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>7</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. Figure 16 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.121(d)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description: ref. 49 (see page 15, lines 5-20 and Fig. 4); ref. 82-3 (see pg. 18, lines 11-16 and Fig. 8) and ref. 93-1 (see page 20, lines 15-20 and Fig. 9). Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

3. The disclosure is objected to because of the following informalities: on page 14, line 18 "a some degree" should be "some degree"; on page 15, line 17 "IEEE 394" should be "IEEE 1394"; on page 16, line 21 "7" should be "57" to match Fig. 5; on page 21, line 15 "102-1~ a band" should be "102-1 through a band"; and on page 21, line 21 "105-1~ a band" should be "105-1 through a band".

Appropriate correction is required.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Admitted Prior Art in view of Lindgren et al. (USPN 6,157,656).

6. Regarding claims 1, 10, and 16, Applicant admits as prior art a method of and device for controlling transmission in a control station on a network formed of said control station and plural communication stations, wherein communication is controlled based upon management data from said control station (Fig. 16 and page 1, line 11-page 5, line 7), the method comprising the steps of and the device comprising means for: controlling said control station to set in advance management data (Fig. 16 and page 1, line 11-page 5, line 7); when said management data are to be updated, causing said control station to form timing data for effecting the updating and update management data describing the contents to be updated (Fig. 16 and page 1, line 11-

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page 5, line 7), and transmitting said update management data to said communication stations (Fig. 16 and page 1, line 11-page 5, line 7); and causing said control station to update the management data on the network at a timing specified by said timing data (Fig. 16 and page 1, line 11-page 5, line 7).

Applicant does not expressly admit as prior art controlling said control station to set data provided with a free region and when said management data are to be updated, causing said control station to update management data describing the contents to be updated in said free region. Lindgren teaches, in a system for transmitting control data, controlling said control station to set data provided with a free region (col. 4, line 55-col. 5, line 3) and when said management data are to be updated, causing said control station to update management data describing the contents to be updated in said free region (col. 2, lines 40-44 and col. 4, line 63-col. 5, line 3). Lindgren does this in order to ensure that the system has high control signaling capacity when it is needed but low signaling capacity otherwise (col. 4, lines 34-47). Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to control said control station to set data provided with a free region and, when said management data are to be updated, causing said control station to update management data describing the contents to be updated in said free region in order to ensure that the system has high control signaling capacity when it is needed but low signaling capacity otherwise.

Applicant in view of Lindgren suggests controlling said control station to set in advance management data provided with a free region. Applicant teaches that the system updates can only occur after multiple cycles (period of count-down) (Fig. 16 and page 1, line 11-page 5, line 7). Lindgren teaches setting advance management data slots (static control slots) to ensure

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sufficient signaling capacity for the network (col. 2, lines 19-25; col. 2, lines 36-40). Lindgren also teaches setting a free region in order to permit the control overhead to dynamically change (col. 4, line 34-col. 5, line 3) where these changes occur during system updates (col. 2, lines 40-44 and col. 4, line 63-col. 5, line 3). Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to control said control station to set in advance management data provided with a free region in order to ensure that the control overhead can dynamically change even between system update times.

7. Regarding claim 2, referring to claim 1, Applicant in view of Lindgren discloses that said control station repetitively transmits said formed update management data plural times until the timing of updating said management data (Applicant: Fig. 16 and page 1, line 11-page 5, line 7).

8. Regarding claims 3 and 11, referring to claims 1 and 10, Applicant in view of Lindgren discloses that the timing data transmitted from said control station is used as data of a counted value, counting-down is effected from the counted value specified by said timing data, and the management data are updated when the value that is counted-down has reached a predetermined value (Applicant: Fig. 16 and page 1, line 11-page 5, line 7).

9. Regarding claim 4, referring to claim 3, Applicant in view of Lindgren discloses that said management data are periodically transmitted with a frame period set by the control station as a reference, and said counted value is counted down with said frame period as a unit (Applicant: Fig. 16 and page 1, line 11-page 5, line 7).

10. Regarding claims 5 and 12, referring to claims 1 and 10, Applicant in view of Lindgren discloses that the management data are updated on the network at a timing specified by said timing data, and the free region is set to the management data for a next updating (Applicant:

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Fig. 16 and page 1, line 11-page 5, line 7 and Lindgren: col. 2, lines 40-44 and col. 4, line 63—col. 5, line 3).

11. Regarding claims 6 and 13, Applicant admits as prior art a method of and device for controlling transmission in a control station on a network formed of said control station and plural communication stations, wherein communication is controlled based upon management data from said control station (Fig. 16 and page 1, line 11-page 5, line 7), the method comprising the steps of and the device comprising means for: when said management data are to be updated, causing said control station to form timing data for effecting the updating and update management data describing the contents to be updated (Fig. 16 and page 1, line 11-page 5, line 7), and transmitting said update management data to said communication stations (Fig. 16 and page 1, line 11-page 5, line 7); and causing said control station to update the management data on the network at a timing specified by said timing data (Fig. 16 and page 1, line 11-page 5, line 7).

Applicant does not admit as prior art when a portion of said management data is to be deleted, causing said control station to form update management data describing other management data utilizing the portion that is to be deleted and causing said control station to delete a portion of said update management data on the network. Lindgren teaches, in a system for transmitting control data, when a portion of said management data is to be deleted, causing said control station to form update management data describing other management data utilizing the portion that is to be deleted, and transmitting said update management data to said communication stations (col. 2, lines 40-44 and col. 4, line 63—col. 5, line 3); and causing said control station to delete a portion of said update management data on the network (col. 4, lines

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30-46 and col. 4, lines 55-62). Lindgren does this in order to ensure that the system has high control signaling capacity when it is needed but low signaling capacity otherwise (col. 4, lines 34-47). Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention, when a portion of said management data is to be deleted, to cause said control station to form update management data describing other management data utilizing the portion that is to be deleted and to cause said control station to delete a portion of said update management data on the network in order to ensure that the system has high control signaling capacity when it is needed but low signaling capacity otherwise.

12. Regarding claim 7, referring to claim 6, Applicant in view of Lindgren discloses that said control station repetitively transmits said formed update management data plural times until the timing of deleting the portion of said management data (Applicant: Fig. 16 and page 1, line 11-page 5, line 7).

13. Regarding claims 8 and 14, referring to claims 6 and 13, Applicant in view of Lindgren discloses that the timing data transmitted from said control station is used as data of a counted value, and counting down is effected from the counted value specified by said data, and the portion of the management data is deleted when the value that is counted-down has reached a predetermined value (Applicant: Fig. 16 and page 1, line 11-page 5, line 7 and Lindgren: col. 2, lines 40-44 and col. 4, line 55-col. 5, line 3).

14. Regarding claim 9, referring to claim 6, Applicant in view of Lindgren discloses that said management data are periodically transmitted with a frame period set by the control station as a reference, and said counted value is counted down with said frame period as a unit (Applicant: Fig. 16 and page 1, line 11-page 5, line 7).

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15. Regarding claim 15, referring to claim 13, Applicant in view of Lindgren discloses that said management data-forming means deletes the portion of the management data at a timing specified by said timing data, and sets a free region to the management data for a next updating (Applicant: Fig. 16 and page 1, line 11-page 5, line 7 and Lindgren: col. 2, lines 40-44 and col. 4, line 55-col. 5, line 3).

16. Regarding claim 17, Applicant admits as prior art a communication station controlled in its communication by management data from a control station (Fig. 16 and page 1, line 11-page 5, line 7), said communication station comprising: reception means for receiving management data used in common on a radio network (Fig. 16 and page 1, line 11-page 5, line 7); and control means for controlling the communication according to the management data (Fig. 16 and page 1, line 11-page 5, line 7), and, when a portion of said management data is to be updated, said reception means receives timing data for effecting the updating and receives update management data describing other management data utilizing the portion to be updated, and updates the portion of said management data at a timing specified by said timing data (Fig. 16 and page 1, line 11-page 5, line 7).

Applicant also does not admit as prior art that, when a portion of said management data is to be deleted, said reception means receives update management data describing other management data utilizing the portion to be deleted, and deletes the portion of said management data. Lindgren teaches, in a system for transmitting control data, when a portion of said management data is to be deleted, said reception means receives update management data describing other management data utilizing the portion to be deleted (col. 2, lines 40-44 and col. 4, line 63-col. 5, line 3), and deletes the portion of said management data (col. 2, lines 40-44 and

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col. 4, line 63–col. 5, line 3). Lindgren does this in order to ensure that the system has high control signaling capacity when it is needed but low signaling capacity otherwise (col. 4, lines 34-47). Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention, when a portion of said management data is to be deleted, said reception means receives update management data describing other management data utilizing the portion to be deleted, and deletes the portion of said management data in order to ensure that the system has high control signaling capacity when it is needed but low signaling capacity otherwise.

Applicant also does not admit as prior art that a free region is set in advance relative to the management data. Lindgren teaches, in a system for transmitting control data, controlling said control station to set data provided with a free region (col. 4, line 55–col. 5, line 3) in order to ensure that the system has high control signaling capacity when it is needed but low signaling capacity otherwise (col. 4, lines 34-47). Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to control said control station to set data provided with a free region in order to ensure that the system has high control signaling capacity when it is needed but low signaling capacity otherwise.

Applicant in view of Lindgren suggests controlling said control station to set in advance management data provided with a free region. Applicant teaches that system updates can only occur after multiple cycles (period of count-down) (Fig. 16 and page 1, line 11–page 5, line 7). Lindgren teaches setting advance management data slots (static control slots) to ensure sufficient signaling capacity for the network (col. 2, lines 19-25; col. 2, lines 36-40). Lindgren also teaches setting a free region in order to permit the control overhead to dynamically change (col. 4, line 34–col. 5, line 3) where these changes occur during system updates (col. 2, lines 40-44 and col. 4,

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line 63—col. 5, line 3). Thus, it would have been obvious to one of ordinary skill in the art at the time of the invention to control said control station to set in advance management data provided with a free region in order to ensure that the control overhead can dynamically change even between system update times.

Conclusion

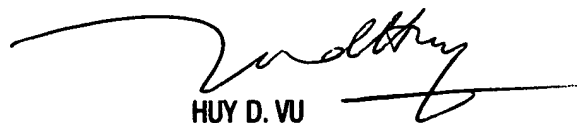
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel J. Ryman whose telephone number is (571)272-3152. The examiner can normally be reached on Mon.-Fri. 7:00-4:30 with every other Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on (571)272-3155. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Daniel J. Ryman
Examiner
Art Unit 2665

DSR


HUY D. VU
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600